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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

ERIC CHRISTIAN,		Case No. 2:17-cv-01707-RFB-VCF
	Petitioner,	ORDER
v.		
JOE LOMBARDO, et al.,		
	Respondents.	

This action, which was opened as a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254, was closed by the Clerk’s Office on July 3, 2017, after it determined Mr. Christian’s filing was actually a motion to vacate pursuant to 28 U.S.C. § 2255. The petition was refiled in Christian’s underlying criminal case, 2:09-cr-303-RFB-VCF. The docket reflects that notice of the closure of this case was mailed to Christian.

Currently pending in this action is a motion to stay and a motion for default judgment. (ECF Nos. 3 & 5). As this is a closed and improperly commenced case, both motions shall be STRICKEN. The Clerk of the Court, however, is directed to file the motion for default judgment (ECF No. 5) in Case No. 2:09-cr-00303-RFB-VCF, as the

1 motion also references Case No. 2:09-cr-00303-RFB-VCF and does not appear to have
2 been filed in that case.

3 IT IS SO ORDERED.

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5 DATED THIS 2nd day of February 2018.

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RICHARD F. BOULWARE
UNITED STATES DISTRICT JUDGE